

PATENT
Attorney Docket 061351-5001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Paul L. Kornblith**)
Application No. **09/040,161**) Group Art Unit: **1651**
Filed: **March 17, 1998**) Examiner: **Ralph J. Gitomer**
For: **Method for Preparing Cell Cultures From**)
Biological Specimens for Chemotherapeutic)
and Other Assays)

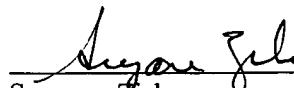
NOTICE OF APPEAL TO BOARD OF PATENT APPEALS & INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated June 6, 2004 of the Examiner finally rejecting claims 13-20. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for a two-month extension of time from September 3, 2004 to November 3, 2004. If an additional extension of time is required, please consider this a Petition therefor.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **November 3, 2004**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



Suzanne Ziska
Registration No. 43,371

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